

APPENDIX II(a).

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK

Golden Bay Enterprises,

Plaintiff,

vs.

Wal-Mart Stores, Inc.

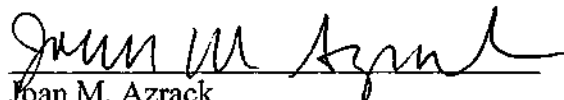
Defendant.

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) C.A. No.: CV-00-6977 (CBA)  
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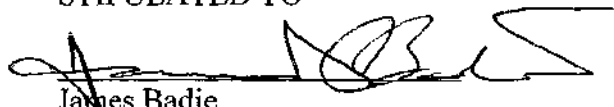
STIPULATION OF DISMISSAL

The parties have entered into a settlement agreement as to all issues before the court in the captioned matter, and hereby stipulate dismissal of the Complaint and all Counterclaims with prejudice with the Court retaining jurisdiction of the parties as to settlement, and with each party bearing its own costs and attorney's fees.

It is so ORDERED this 13 day of Oct, 2004.

  
Joan M. Azrack  
United States Magistrate Judge

STIPULATED TO

  
James Badie  
Counsel for Plaintiff

  
John James McGlew  
Counsel for Defendant

***Exhibit "3"***